

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47342 of 2023

Arising Out of PS. Case No.-2 Year-2023 Thana- SIKARPUR District- West Champaran

Md. Sartaj @ Sheikh Sartaz @ Md. Sarta @ Sk. Sartaj S/O Md. Afroz @
Sheikh Afroz R/O Village- Narkatia Farm Chowk, P.S- Shikarpur, Distt.- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner seeks bail, who is in custody since
14.03.2023, in connection with Shikarpur P.S. F.I.R. No. 02 of
2023, F.I.R. dated 01.01.2023 registered for the offences
punishable under Sections 341, 323, 324, 307, 504, 506/34 of the
Indian Penal Code and Sections 25(1-b) (A), 26, 35 of the Arms
Act.

3. Allegation against the petitioner is that he has
given knife blow on the buttock of the nephew of the informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has been falsely implicated in
the present case. He further submits that as per allegation in the
F.I.R. that the petitioner has stabbed thrice in the buttock of the



nephew of the informant but the injury report of the nephew of the informant suggests that only one injury was found in the buttock of the nephew of the informant and it appears from the injury report that the allegation as alleged in the F.I.R. is not supported by the medical evidence. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 14.03.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Shikarpur P.S. F.I.R. No. 02 of 2023, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Ibrar//-

U		T	
---	--	---	--

